

# UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS **FILED**

MAY 26 2023

Clerk, U.S. District Court  
Eastern District of Texas

Behavior Analyst Certification Board

Plaintiffs

v.

Dr. Michael Moates

Misty Kieschnick, and

Global Institute for Behavior Practitioners and

Examiners

Defendants

Case No.: 4:23-cv-00194-ALM

**JURY TRIAL DEMANDED**

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## MOTION TO STAY DEADLINES

I, Misty Kieschnick, as a defendant in the above-mentioned case, respectfully request a stay on all deadlines, including the deadline to file a response, discovery, etc. until the motions to dismiss are ruled upon. I am filing one today and after receiving the court's ruling I will continue to file them in order. This request is made to ensure that the defendants can fully exercise their rights to present their defenses without any undue prejudice or disadvantage.

As an example per the Texas Citizens Participation Act, which allows defendants 60 days after service to file their response, we seek a stay on all deadlines that would require us to file a response within that time frame. The motions to dismiss that we intend to file are critical to the resolution of this case as they challenge the court's jurisdiction and the legal sufficiency of the plaintiff's claims.

Granting a stay on all deadlines will allow the defendants to properly present their arguments and defenses through the pending motions to dismiss, without the risk of forfeiting any available defenses or legal rights. It will promote fairness, preserve the integrity of the proceedings, and avoid potential prejudice caused by prematurely moving forward with the case before the motions to dismiss are resolved.

Furthermore, a stay on all deadlines will serve the interests of judicial efficiency. If the motions to dismiss are granted, it may render further proceedings unnecessary, saving valuable time and resources for all parties involved and the court.

In consideration of the aforementioned reasons, I respectfully request the court to exercise its discretion and grant a stay on all deadlines until the pending motions to dismiss are ruled upon. This will ensure a fair and just resolution of the case while preserving the defendants' rights and avoiding any potential prejudice.

Thank you for your attention to this matter. Should the court require any additional information or supporting documentation, I am prepared to provide it promptly.

Respectfully submitted,

/s/ Misty Kieschnick, Pro Se

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